



STINSON
MORRISON
HECKER

RECEIVED

Tel (816) 842-8600
Fax (888) 391-9741
1201 Walnut, Suite 2900
Kansas City, MO 64106-2150

DEC 28 2005

BOARD OF PATENT APPEALS
AND INTERFERENCES

Facsimile

To:	Facsimile #	Firm	Firm Telephone #
VASCO HARPER	571-273-0300	U.S. PATENT & TRADEMARK OFFICE - BOARD OF PATENT APPEALS AND INTERFERENCES	571-272-4615

From: Susan Wharton Bell

Date: December 28, 2005

Pages: 5 (including this cover sheet)

Sender ID#: 8961

Client-Matter #: 805990-0047

The original of this
document was sent by

First Class Mail
 Messenger
 Air Mail

Overnight Mail
 No Other Delivery
 Other: _____

Comment:

571-4615

Return Original To: _____

Notify When Complete: _____

KANSAS CITY
OVERLAND PARK
WICHITA
WASHINGTON, D.C.
PHOENIX
ST. LOUIS
OMAHA
JEFFERSON CITY

THIS TRANSMITTAL AND ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. Unauthorized use, disclosure or copying is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify us at (816) 691-3118.

Serial No.: 09/893,314
Docket No.: 506422.0047

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants : Phillip B. Blankenship et al.
Serial No. : 09/893,314
Filing Date : June 27, 2001
Title : METHOD FOR SELECTING AN ASPHALT
MIXTURE FOR MAKING AN INTERLAYER AND
METHOD OF MAKING AN INTERLAYER

Group/Art Unit : 1762
Examiner : Eric B. Fuller
Confirmation No. : 2106

Atty. Docket No. : 506422.0047

RECEIVED

DEC 28 2005

BOARD OF PATENT APPEALS
AND INTERFERENCES

ATTN: Vasco Harper (Paralegal (BPAI))

SUPPLEMENTAL SHEETS TO THE BRIEF

This is responsive to the Board of Patent Appeals and Interferences' facsimile transmission of December 21, 2005, requesting Applicant to submit Supplemental Sheets to the Brief. In accordance with the Board's request, please find attached on separate sheets of paper the following appendices, namely an Evidence Appendix and a Related Proceeding Appendix.

Certificate of Facsimile Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile transmitted to Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: Vasco Harper to facsimile number 571.273.0300, on:

Date: December 28, 2005

Signature: Becky Diebold

Printed Name: Becky Diebold

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

Serial No.: 09/893,314
Docket No.: 506422.0047

Respectfully submitted,

By Susan W. Bell
Susan Wharton Bell, Reg. No. 41,524
Stinson Morrison Hecker LLP
1201 Walnut Street, Suite 2900
Kansas City, Missouri 64106
Telephone: 816.842.8600
Facsimile: 816.691.3495

Serial No.: 09/893,314
Docket No.: 506422,0047

EVIDENCE APPENDIX

DECLARATION OF P.B. BLANKENSHIP UNDER 37 C.F.R. §1.132

2005-12-28 14:01:00 AM 8166913495

STINSON_MORRISON_HECKER

004/005

BEST AVAILABLE COPY

Serial No. 09/893,314
Docket No.: 506422,0047

RELATED PROCEEDINGS APPENDIX

NONE

BEST AVAILABLE COPY